IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

Bail Appl..No. 5790 of 2007()

O.R. NO.59/06 OF EXCISE STATION, ADOOR
CRMP.5317/2007 of J.M.F.C., ADOOR

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PETITIONER/2ND ACCUSED

VAMADEVAN, S/O.RAGHAVAN, CHIRAMURIYIL
VEEDU, POOZHIKKADU MURI, PANDALAM VILLAGE.

BY ADV. SRI. K.SHAJ

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5790 of 2007

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Dated this the 25th day of September, 2007

O R D E R

Application for regular bail. The petitioner is the second accused. He faces allegations under the Kerala Abkari Act. The crux of the allegations is that the first accused was found in possession of 8 litres of arrack on 5.8.2006. His arrest and interrogation led the investigator to the conclusion that it was the petitioner who had furnished the article to the first accused. The petitioner was hence arrayed as an accused. He was arrested on 21.8.2007. Investigation is in progress.

2. The learned counsel for the petitioner submits that except the alleged confession of the first accused, there is not a semblance of material to implicate the petitioner. The petitioner may now be enlarged on bail, submits the learned counsel.

3. The learned Prosecutor submits that the petitioner is involved in two other crimes under the Abkari Act. The application is not opposed. Appropriate conditions may be imposed, it is prayed.

4. I am satisfied that the petitioner can now be enlarged on bail, subject to appropriate conditions.

5. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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